

Planning

Delegated Officer Report

Summary of application details

Application reference:	145363/FO/2026
Application type:	Full planning permission
Proposal:	Creation of gym and fitness facility (Use Class E).
Site address:	Unit 3 Arena Court Mirabel Street Manchester M3 1PG
Ward(s):	Deansgate
Date application valid:	02 June 2026
Applicant name:	Nikko Shillabeer
Agent (if any):	Homz Planning
Case officer:	Michael Pearson
Recommendation:	Approve
Date of recommendation:	10/09/2026

Description of site, building and/or area

The application relates to the single storey commercial unit at unit 3 Arena Court off of Mirabel Street. The commercial unit features a shuttered access off of Mirabel Street, with rear access to an unnamed service road behind. The site has previously functioned as a hot food take away, with cycle storage and bin storage located to the rear along the aforementioned unnamed service road.

The neighbouring area lies along the northern boundary of Manchester City Centre that runs along Trinity Way. To the south of the site lies the Cathedral Conservation Area. Built development within the locality is dominated by Victoria Railway Station and its associated rail infrastructure, which includes the 3rd Grade II listed bridges that cross Victoria Street to the east of the application site. Both modern and historic properties are present within the locality, with the southern section of Mirabel Street being lined by commercial units within railway arches, and its northern half being site to Victorian and modern development. Neighbouring uses include a variety of commercial Class E units, and residential apartments (Use Class C3).

Description of development

The application seeks consent for the creation of a gym and fitness facility (Use Class E(d)).

No external alterations are proposed as part of the development. Internally, freestanding gym equipment would be situated, as well as a reception desk.

The proposed hours of opening are as follows:

- Monday – Friday: 06:00 – 22:00

- Saturday: 08:00 – 20:00
- Sunday (Including Bank Holidays): 08:00 – 18:00

Waste and cycle stores would feature to the rear of the application site.

Relevant planning history

Not applicable

Consultation, notification and publicity responses

Publicity – A site notice and press notice were published. Neighbouring properties were notified of the proposals by letter. No representations were received.

Environment Agency – No objection.

Environmental Health – No objection subject to conditions relating to hours of opening, hours of servicing, acoustics, plant acoustics and waste.

Flood Risk – No objection.

Highway Services – No objection subject to conditions relating to a travel plan, construction management plan and cycle storage facilities.

Relevant policies

The Places for Everyone Plan - Joint Development Plan Document, for nine of the 10 boroughs which make up Greater Manchester adopted on 21st of March 2024:

- Policy JP-Strat1 – Core Growth Area
- Policy JP-Strat2 – City Centre
- Policy JP-S4 – Flood Risk and the water Environment
- Policy JP-P2 - Heritage
- Policy JP-P4 – New Retail and Leisure Uses in Town Centres

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EC3 – The Regional Centre
- Policy CC1 – Primary Economic Development Focus (City Centre and fringe)
- Policy CC4 – Visitors – Tourism, Culture and Leisure
- Policy CC5 – Transport
- Policy CC9 – Design and Heritage
- Policy CC10 – A Place for Everyone
- Policy EN1 – Design Principle and Strategic Characters Areas
- Policy EN3 – Heritage
- Policy EN8 – Adaption to Climate Change
- Policy EN14 – Flood Risk
- Policy EN19 – Waste
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

- Policy DC26 – Noise and Development

National Planning Policy Framework August 2026 (NPPF)

- Chapter 7 – Building a strong, competitive economy
- Chapter 14 – Achieving Well-Designed Places
- Chapter 15 – Promoting Sustainable Transport
- Chapter 20 – Conserving and Enhancing the Historic Environment

Other Legislative Requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy for Waste

Assessment

Principle of the Development

The development would see the creation of a commercial gym use (Class E(d)) within a vacant railway arch. Said proposals are considered would assist in the ongoing regeneration of Manchester City Centre and contribute to the area's vitality and virality. In line with this, the development is considered accords in principle with Places for Everyone Plan Policies JP-Strat1 and JP-Strat2, Core Strategy Policies SP1, EC3, CC1, CC4 and DM1 subject to the matters discussed below.

Residential Amenity

As previously stated within this report, the application site neighbours residential development to the north of the application site along Mirabel Street. The proposed gym use would open as early as 6am and close as late as 10pm. The development has been accompanied an acoustic study and addendum, said information confirms no external plant is proposed as part of the development and that outbreak noise will be controlled through the use of padded floor tiles and good practice principles. Environmental Health do not object to this arrangement, and have requested conditions be attached requiring compliance with such arrangements, control of external plant, proposed hours of opening and hours of servicing. As no plant is proposed as part of this development, it is considered appropriate to utilise an informative relaying the message that no plant is consented as part of any approval and the installation of any such plant will require the issuing of a separate planning permission. Subject to conditions that would require the unit to proceed in accordance with the submitted acoustic assessment and control hours of opening and servicing, the development is acceptable in this regard and therefore accords with Core Strategy Policy SP1 and DM1, Saved Unitary Development Plan Policy DC26, and the National Planning Policy Framework.

Visual Amenity and Heritage

No external alterations are proposed as part of the development and thus it would have no impact on the appearance of the local street scene, and the setting and significance of the Cathedral Conservation Area, and Grade II listed North Bridge, Middle Bridge and Stephenson Bridge. On this basis, the development is acceptable in this regard, and therefore accords with Places for Everyone Plan Policy JP-P2, Core Strategy Policies EN1, EN3, CC9 and DM1, Saved Unitary Development Plan Policies DC18 and DC19, the National Planning Policy Framework, and the Planning (Listed Building and Conservation Areas) Act 1990.

Flood Risk

The application site lies within Flood Zone 2, where the risk of flooding is high. The submission has been accompanied by a Flood Risk Assessment that details the flood resilience measures that will be adopted as part of the development. Flood Risk do not object to this. Subject to a condition that would require the proposed measures to be implemented as part of the development, the proposal is acceptable in this regard and accords with Places for Everyone Plan Policy JP-S4 and Core Strategy Policies SP1, EN8, EN14 and DM1, and the National Planning Policy Framework.

Highway Safety

No external alterations are proposed to the property and the means of access to and from the unit would be unaffected by the development. No on or off street parking would be lost or gained as a result of the carrying out of the development. Highway Services do not object to the proposals subject to conditions relating to the provision of a travel plan, construction management plan and cycle storage facilities. Given the small scale nature of the development, how it would only see the change of use of the site, and how the application site lies within walking distance of public transport links, the imposition of conditions requiring the submission of a construction management plan and travel plan are considered to be unreasonable and disproportionate, and as such will not be attached in the event of an approval. Subject to the development providing cycle storage facilities, it is acceptable in this regard and accords with Core Strategy Policy DM1 and the National Planning Policy Framework.

Waste Management

The proposed gym use would store its waste and recycling within the unnamed access road to the rear of the site, with private waste crews then entering the site on collection days. Environmental Health do not object to this arrangement. Subject to a planning condition that would require the development to store and present its waste and recycling for collection in accordance with these details, the development is acceptable in this regard and is therefore in accordance with Core Strategy Policies EN19 and DM1, and the National Planning Policy for Waste.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in

accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conclusion

In light of the above, subject to appropriate planning condition, the development would secure the occupation of a vacant commercial unit, thereby contributing to the continued regeneration of the City Centre. Therefore, the development is in accordance with Places for Everyone Plan Policies JP-Strat1, JP-Strat2, JP-S4, JP-P2 and JP-P4, Core Strategy Plan Policies SP1, EC3, CC1, CC4, CC5, CC9, CC10, EN1, EN3, EN8, EN14, EN19 and DM1, Saved Unitary Development Plan Policies DC10, DC18, DC19 and DC26, the National Planning Policy for Waste, the National Planning Policy Framework, and the Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis the application is recommended for approval.

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

Recommendation: Approve

Conditions attached to this decision

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Site Location Plan (Received 02/06/2026)
- Proposed Block Plan
- Existing and Proposed Plans
- Proposed Ext & Int Elevations
- Noise Impact Assessment (Prepared by Murray Acoustics; Report reference 21037-RP-NIA-01; Dated and received 10/04/2026)
- Acoustic Addendum (Prepared by Murray Acoustics; Report reference 21037-TN-01; Dated and received 07/09/2026)
- Planning Statement (Prepared by Homz; Dated 02/03/2026; Received 09/03/2026)
- Flood Risk Assessment (Prepared by Homz Ltd; Dated April 2026; Received on 07/04/2026)
- Operational Management Plan (Prepared by Homz; Dated 16/03/2026; Received on 16/04/2026)
- Waste Management Strategy Proforma (Received 16/04/2026)

Received by the City Council as Local Planning Authority on 24/07/2026, unless specified otherwise.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

- 3) The gym use hereby approved shall only be open to customers inside of the following hours for its lifetime:

- Monday – Saturday: 06:00 – 22:00
- Sunday (Including Bank Holidays): 08:00 – 18:00

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

- 4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours for the lifetime of the development:

- Monday to Saturday: 7:30 - 20:00
- No deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

- 5) a) The gym use hereby approved shall be acoustically treated and insulated in accordance with the following documentation:
- Noise Impact Assessment (Prepared by Murray Acoustics; Report reference 21037-RP-NIA-01; Dated and received 10/04/2026)
 - Acoustic Addendum (Prepared by Murray Acoustics; Report reference 21037-TN-01; Dated and received 07/09/2026)

b) In the event of non-conformity with a rating level of 5dB (LAeq) below the typical background (LA90) level in each octave band, then any measures/changes required to achieve conformity shall be carried out. Any required measures/changes and verification shall continue until conformity has been achieved and agreed in writing by the Local Planning Authority, before the use can commence.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

- 6) The gym use hereby approved shall store and present its waste and recycling in accordance with the submitted Waste Management Strategy Proforma (Received by the City Council as Local Planning Authority on 16/04/2026) for the lifetime of the development.

Reason – In the interest of securing adequate and safe waste and recycling facilities in accordance with Core Strategy Policy EN19 and DM1, and the National Planning Policy Framework.

- 7) The gym use hereby approved shall incorporate the flood resilience measures put forward within the approved Flood Risk Assessment (Prepared by Homz Ltd; Dated April 2026; Received by the City Council as Local Planning Authority on 07/04/2026) which shall be completed as part of the development and then be retained and maintained for its lifetime thereafter.

Reason – In the interest of providing flood resilient development pursuant to Core Strategy Policies EN8, EN14 and DM1, and the National Planning Policy Framework.

- 8) The gym use hereby approved shall be used for Class E (d), and for no other purpose (including any other purpose within Class E or any other class of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - The use of the premises other than in accordance with the approved use would require further consideration by the Local Planning Authority and may not be appropriate in this locality in accordance with Core Strategy Policies SP1, EC2 and DM1, and the National Planning Policy Framework.

Informatives

- 1) No external plant is consented under this planning permission. Should any external plant, louvres or air inlet and outlet points be required, these will require the issuing of a separate planning permission.
- 2) The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk.

The applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk.